

REMARKS

Applicant acknowledges that applicant affirms Group I, Claims 1-7. Applicant also acknowledges that Claims 8-13, which are withdrawn from further consideration, can be prosecuted without being subject to a double patenting rejection or a terminal disclaimer since they are different inventions.

The Examiner's rejection of claims 1-7 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is respectfully traversed. Applicant has amended claim 1 with respect to the distribution plates. With respect to claim 2, applicant has amended claim 2 to more clearly define the uniform pressure means in distinction to the diversion means. Claim 6 is distinguished as requiring uniform temperature and volume of the first polymer throughout the length of the spin pack.

The Examiner's rejection of claims 1-3, 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over Hills (US 5,344,297) in view of Werner, et al. (US 3,762,850) is respectfully traversed. Applicant has amended claim 1 to more clearly define applicant's diversion device over those shown in the prior art. As the Examiner has acknowledged, Hills does not teach a diversion block as specifically explained in applicant's specification and as claimed by applicant. It is applicant's position that the Werner, et al. reference does not teach or suggest to one of ordinary skill in the art applicant's claimed invention. It is applicant's position that the Werner device as shown is a flow guide element 6, Figure 1 of the Werner '850 patent. The flow guide shown Werner is

triangular in cross section and supported on three legs. Applicant's device is rectangular on the top half and trapezoidally shaped on the bottom half and is completely different than that shown in the Werner reference. The device shown in Werner is for melt spinning to make linear fiber forming polymer melt such as spinning nylon filaments. There is no discussion of bicomponent formation as required in applicant's invention. It is submitted that the device shown in Werner, even if it were substituted into applicant's invention, would not work.

The Examiner's rejection of claims 1-7 under 35 U.S.C. 103(a) as being unpatentable over Hills (US 5,344,297) in view of Kilsdonk (US 3,762,854) is respectfully traversed. Again, the Examiner has acknowledged that there is no diversion block shown in the Hills patent. Again, the diversion device shown in Kilsdonk is different in shape. The Kilsdonk device in figure 1 is described as an apron 27 that is substantially rectangular and not trapezoidally shaped at the bottom. The patent states that the lower face 28 of the apron slopes downward from the side of the apron and is, therefore, not trapezoidally shaped. There is no teaching in Kilsdonk, especially when combined with Hills, to arrive at applicant's specifically claimed invention that provides for constructing spunbond fabrics and laminates using bicomponent filaments. Under 35 U.S.C. 103, it is paramount that the references teach or suggest the combination to arrive at applicant's claimed invention. It is applicant's position that there is no teaching whatsoever to arrive at applicant's claimed invention as claimed in amended claims 1-7

and that even if these two references were combined, applicant's invention would not result.

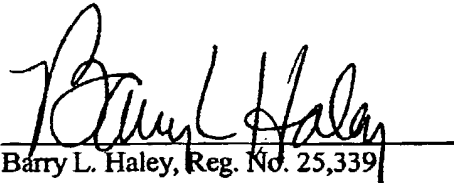
The Examiner's rejection of claims 1-7 under 35 U.S.C. 103(a) as being unpatentable over Hills (US 5,344,297) in view of Kiel, et al. (US 5,513,973) is respectfully traversed. The Examiner acknowledges that the Hills reference does not teach nor suggest a plurality of diversion blocks. The Kiel, et al. diverter plate occupies the upper portion of the polymer chamber and has a tapered base that does not show a trapezoidal shape with an upper rectangular portion. The combination of the Kiel teaching for the diverted plate with Hills would not produce applicant's invention. Amended claim 1 more clearly defines the diversion block in applicant's claimed invention that is quite different than that shown in Kiel. Applicant's device is a spin pack that constructs spunbond fabrics and laminates that are composed of bicomponent filaments. There must be some teaching or suggestion to combine the references under 35 U.S.C. 103 obviousness considerations. In this particular case, there is no suggestion to combine that would achieve applicant's claimed invention, since the Kiel, et al. diversion plate is completely different than applicant's claimed diversion blocks.

It is applicant's position that claims 1-7, as amended, are allowable over the art of record.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry L. Haley", is written over a horizontal line.

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